



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 15, 2008

RANKIN, HILL, PORTER & CLARK LLP
38210 GLENN AVENUE
WILLOUGHBY, OH 44094-7808
US

Dear Sir/Madam,

Your refund request for 10563239 in the amount of \$100.00 has been denied .

Pre Amdt sent in after 903 was mailed out on May 17, 2006.

Sincerely,

A handwritten signature in cursive script, reading "Angl Yilmaz", is written over the typed name.

Anglois Yilmaz
PCT - National
703 308-9140 x231

TJV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/563239 Confirmation No. 8758
Applicant : Carsten Eusterbarkey
Filed : January 27, 2006
TC/A.U. : 3637
Examiner : N/A

Title : FOUNDATIONS FOR CONSTRUCTIONS
Docket No. : SCH-16446
Customer No. : 040854

LETTER
(Request For Refund)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Facsimile Number (571) 273-6500

Sir:

The above-identified application was filed on January 27, 2006. The filing fee paid was \$1,380.00 (\$900.00 filing fees; \$350.00 for 7 claims in excess of 20; \$130.00 late surcharge fee for Declaration). Accordingly, to date Applicants have paid total fees of \$1,380.00. Attached hereto is a copy of Preliminary Amendment B" that was filed October 23, 2007 and which reduces the total claims to 25. Therefore, Applicants respectfully request that a refund of \$100.00 be issued: \$350.00 (excess claim fee already paid) minus \$250.00 (excess claim fee due).

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By



David E. Spaw, Reg. No. 34732

38210 Glenn Avenue
Willoughby, Ohio 44094-7808
(216) 566-9700

October 23, 2007

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax no 571-273-6500) on the date indicated below.


Signature of Person Mailing Paper

10/23/07
Date

David E. Spaw
Printed Name of Person Mailing Paper

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PRELIMINARY AMENDMENT "B"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination, please amend the above-identified application as follows:

- **Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.
- **Remarks/Arguments** begin on page 8 of this paper.

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Amendment Dated: October 23, 2007

AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A foundation for a construction ~~(8)~~ with at least one pile-like device that is anchored in or on the ground ~~(M)~~ and comprises an elongate pile element ~~(1, 21, 31, 41, 51)~~, wherein the pile-like device also has at least one reinforcement element ~~(2, 22, 32, 42, 52)~~ that is constructed and disposed such that, between the reinforcement element ~~(2, 22, 32, 42, 52)~~ and the pile element ~~(1, 21, 31, 41, 51)~~, a gap is formed, and wherein said gap can be at least partially filled with at least one free-flowing filling material ~~(6, 10a, 10b, 30a, 30b)~~.

2. (Currently Amended) The foundation as claimed in claim 1, wherein the pile element ~~(1, 21, 31, 41, 51)~~ is constructed as an inner tube around which the reinforcement element ~~(2, 22, 32, 42, 52)~~ is disposed.

3. (Currently Amended) The foundation as claimed in claim 2, wherein the pile element ~~(1, 21, 31, 41, 51)~~ is constructed as an inner tube and the reinforcement element is constructed as an outer tube, said inner tube being is disposed in the outer tube such that the gap which substantially surrounds the inner tube is formed between the inner tube and the outer tube.

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Amendment Dated: October 23, 2007

4. (Previously Presented) The foundation as claimed in claim 1, wherein the foundation comprises one single pile-like device which stands substantially in an extension of a vertical axis of the construction.

5. (Previously Presented) The foundation as claimed in claim 1, wherein the foundation comprises more than two pile-like devices.

6. (Currently Amended) The foundation as claimed in claim 1, wherein at least a proportion of the filling material (~~40a, 30a~~) comprises a bulk material which is not damaging to the environment.

7. (Cancelled)

8. (Currently Amended) The foundation as claimed in claim 1, wherein, in the region of the gap, the pile element (~~1, 21, 31, 41, 51~~) and the reinforcement element (~~2, 22, 32, 42, 52~~) have means for increasing transfer of shear between the elements and the filling material.

9. (Currently Amended) The foundation as claimed in claim 8, wherein, when the elements are constructed as tubes, means for increasing transfer of shear (~~9~~) are disposed on an inner face of an outer tube and on an outer face of an inner tube.

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10. (Previously Presented) The foundation as claimed in claim 8, wherein the means for increasing transfer of shear comprise annular accumulations of material applied to the tubes.

11. (Currently Amended) The foundation as claimed in claim 9, wherein the means for increasing the transfer of shear comprise at least three fins ~~(61)~~ aligned parallel to a longitudinal axis of the pile-like device and connected to one of the tubes.

12. (Currently Amended) The foundation as claimed in claim 11, wherein the fins ~~(62)~~ ensure centering of the inner and outer tubes.

13. (Previously Presented) The foundation as claimed in claim 1, wherein at least three spacers are disposed in the gap between the elements by way of connecting means.

14. (Currently Amended) The foundation as claimed in claim 1, wherein, between the pile-like device and the construction, a junction piece ~~(3, 23, 33, 43)~~ is disposed which connects them to one another.

15. (Currently Amended) The foundation as claimed in claim 14, wherein the junction piece ~~(3, 23, 33, 43)~~ includes a screw flange for connection to the construction.

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16. (Currently Amended) The foundation as claimed in claim 14, wherein the junction piece (~~3, 23, 33, 43~~) is connected to the pile-like device via a concrete bond.

17. (Currently Amended) The foundation as claimed in claim 14, wherein a part-region of the junction piece (~~3, 23, 33, 43~~) is constructed for arrangement in the gap between the elements.

18. (Previously Presented) The foundation as claimed in claim 17, wherein the junction piece is equipped with means for increasing the transfer of shear between the junction piece and the filling material.

19. (Previously Presented) The foundation as claimed in claim 1, wherein the construction is an offshore construction.

20. (Currently Amended) A method for introducing a pile-like device having a pile element (~~1, 21, 31, 41, 51~~) into the ground as a foundation of a construction (~~8~~), comprising the following method steps:

- Introducing the pile element (~~1, 21, 31, 41, 51~~) into the ground,
- disposing over or in the pile-like device a junction piece (~~3, 23, 33, 43~~), said junction piece serving to connect the pile-like device to the construction (~~8~~),
- connecting the junction piece to the pile-like device,

wherein:

- before or after the introduction of the pile element (~~1, 21, 31, 41, 51~~) into the ground, introducing a reinforcement element (~~2, 22, 32, 42, 52~~) into the

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ground, the reinforcement element being constructed and disposed relative to the pile element ~~(1, 21, 31, 41, 51)~~ such that an increase in a strength of the pile-like device is achieved, and

- filling, at least partially, gaps between the junction piece and the pile-like device with a filling material.

21. (Currently Amended) The method as claimed in the claim 20, wherein the reinforcement element ~~(2, 22, 32, 42, 52)~~ is constructed and disposed relative to the pile element ~~(1, 21, 31, 41, 51)~~ such that a gap is produced therebetween, said gap being at least partially filled with at least one filling material in an additional step.

22. (Currently Amended) The method as claimed in the claim 21, wherein the additional step is carried out between the arrangement of the junction piece ~~(3, 23, 33, 43)~~.

23. (Cancelled)

24. (Previously Presented) The method as claimed in claim 21, wherein at least one of the two elements is introduced into the ground by means of a ramming method and/or drilling method.

25. (Previously Presented) The method as claimed in claim 21, wherein said method is used in an offshore construction and the pile-like device is introduced into a seabed.

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26. (Currently Amended) A method of dismantling a foundation for a construction (8) with at least one pile-like device that is anchored in or on the ground (M) and comprises an elongate pile element (1, 21, 31, 41, 51), wherein the pile-like device also has at least one reinforcement element (2, 22, 32, 42, 52) that is constructed and disposed such that, between the reinforcement element (2, 22, 32, 42, 52) and the pile element (1, 21, 31, 41, 51), a gap is formed, and wherein said gap can be at least partially filled with at least one free-flowing filling material (6, 10a, 10b, 30a, 30b) wherein the pile element is constructed as an inner tube and the reinforcement element is constructed as an outer tube and wherein, after removal of the supported construction, comprising the steps of:

- detaching the outer tube in a region of a level of a seabed,
- withdrawing the outer tube so that the filling material escapes downwards onto the seabed,
- detaching the inner tube in the region of the level of the seabed and then withdrawing the inner tube.

27. (Previously Presented) The method as claimed in claim 26, wherein a junction piece between the foundation and the construction is dismantled in an intermediate step performed between detaching the outer tube and withdrawing the outer tube.

28. (Cancelled)

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REMARKS

If clarification of the amendment or application is desired, or if issues are present which the Examiner believes may be quickly resolved, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. SCH-16446.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By /Ronald S. Nolan/
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Patent Agent

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David E. Spaw

October 23, 2007

10

U.S. Patent Application for:

"FOUNDATIONS FOR CONSTRUCTIONS"

Serial No. 10/563239; Filed January 27, 2006

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OUR REF.

SCH-16446

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